

MELINDA HAAG (CABN 132612)
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)
Chief, Criminal Division

TIMOTHY J. LUCEY (CABN 172332)
Assistant United States Attorneys

150 Almaden Boulevard, Suite 900
San Jose, California 95115
Telephone: (408) 535-5054
FAX: (408) 535-5061
E-Mail: timothy.lucey@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 13 – MJ – 70065 MAG
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
v.)	
WALTER SKINNER,)	
Defendant.)	

Defendant Walter Skinner and the United States hereby stipulate and mutually agree that the status hearing as to the defendant's evaluation for possible diversion, currently scheduled for Thursday, October 2, 2014, at 1:30 p.m., should be continued to Tuesday, October 28, 2014, at 1:30 p.m., to permit the parties to exchange further information relative to the consideration of the defendant's potential diversion, relative to the prior report from Pretrial Services, specifically the precise calculation of the amount of restitution and accompanying repayment schedule.

Accordingly, the parties further stipulate that the time from October 2, 2014, through and including October 28, 2014, may be excluded from the computation of time within which an information

1 or indictment shall be filed under the Speedy Trial Act, in order to ensure the reasonable time necessary
2 for effective preparation, pursuant to Title 18, United States Code Section 3161(b), (h)(7)(A),
3 (h)(7)(B)(iv), as well as a mutual stipulation to waive time for an indictment or preliminary hearing,
4 pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, up to and including October 28, 2014,
5 based on the need for effective preparation of counsel as well as the defendant's evaluation for diversion
6 and the terms thereto.

7 **IT IS SO STIPULATED.**

8 Dated: October 2, 2014

9
10 /s/
TIMOTHY LUCEY
Assistant United States Attorney

11
12 Dated: October 2, 2014

13 /s/
CYNTHIA C. LIE
Assistant Federal Public Defender

14
15 **IT IS SO ORDERED.**

16
17 DATED:

18 10/2/14

19 
HON. HOWARD R. LLOYD
United States Magistrate Judge